

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CHUCK BOOMS,

Plaintiff,

vs.

GRAY MEDIA GROUP,

Defendants.

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CASE NO. 1:23-cv-02099

JUDGE J. PHILIP CALABRESE

**JOINT REPORT OF STATUS OF  
THIRD PARTY DISCOVERY**

The parties, through their undersigned counsel, hereby provide this Joint Status Report of third party discovery in this case pursuant to this Court's March 12, 2024 Order after a status telephone conference. As reported in the March 12<sup>th</sup> status conference both parties issued subpoenas to third party AT&T, which directed them to another entity, Ericsson – dba Red Bee Media, which would have additional or more information related about how and why Plaintiff's name appeared on AT&T's program description after he was no longer on the show.

As reported in the March 12<sup>th</sup> status conference, both parties served upon Red Bee a subpoenas the production of documents under Fed. R. Civ. P. 34 and for a deposition of a corporate representative under Fed. R. Civ. P. 30(b)(6). After service of said subpoena, counsel for the parties were contacted by in-house counsel for Red Bee, who stated that she would accept service of the subpoena by email – provided the subpoenas were re-served on March 18, 2024. This request was made because the in-house counsel was previously scheduled to be away from

her office. On March 18, 2024, counsel for both parties served the subpoenas upon Red Bee, which requested documents to be produced by April 1, 2024. Counsel for Plaintiff further noticed a deposition under Fed. R. Civ. P. 30(b)(6) for April 16<sup>th</sup> – which will depend on the necessity of the deposition upon the response to the document requests, and the availability attorneys and witness(es).

At this point, the parties recommend and request a further status conference for May 3, 2024 to discuss the third party evidence obtained by subpoena and new deadlines amend the pleadings and to respond to Defendant’s Motion for Judgment on the Pleadings in light of that evidence.

Respectfully submitted,

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*Counsel for Gray Media Group, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Status Report was served through this Court's electronic filing system on this 1st day of April 2024.

/s/ David Glenn Phillips  
DAVID GLENN PHILLIPS